

NO. 15871

UNITED STATES  
COURT OF APPEALS  
FOR THE NINTH CIRCUIT

CLARENCE A. KOLSTAD and ALTA A. KOLSTAD,  
Appellants,

—VS—

UNITED STATES OF AMERICA,  
Apellee.

**PETITION FOR REHEARING**

Messers. Cedor B. Aronow and Elmo J. Cure,  
Attorneys-at-Law,  
153 Main Street,  
Shelby, Montana.  
Attorneys for Appellants.

**FILED**

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## PETITION FOR REHEARING

The appellants above named respectfully petition this Honorable Court for a rehearing on the appeals in the above entitled cause, and in support of this petition, represent to the Court as follows:

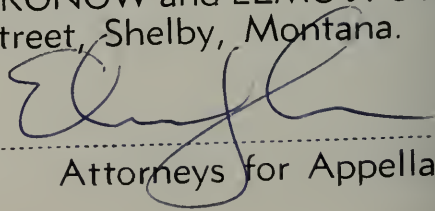
That there were two appeals in this matter, namely: one from the judgment, and the second from the ruling on the Motion under Rule 60-(b), F. R. C. P.

The Judgment on Appeal deals solely with the appeal from the Judgment on the Motion Under Rule 60 (b), F. R. C. P. These appeals deal solely with Parcels 10 and 11, described in the Complaint. The stipulation for dismissal of the appeal (tr. p. 33), which was referred to by this Honorable Court, on p. 3 of the Judgment on Appeal, did not deal with Parcels 10 and 11, but dealt solely with Parcels 27, 28, 29 and 31, which were not owned by appellants, and should not have been included in the transcript.

For the foregoing reasons we respectfully petition for a rehearing, in order that the Court may dispose of the second appeal.

CEDOR B. ARONOW and ELMO J. CURE,  
153 Main Street, Shelby, Montana.

By.....

  
Attorneys for Appellants.